

REMARKS

Claims 1-27 remain pending.

The Applicants respectfully request the Examiner to reconsider earlier rejections in light of the following remarks. No new issues are raised nor is further search required as a result of the changes made herein. Entry of the Amendment is respectfully requested.

Interview

The Applicants thank the Examiner for the Interview conducted on October 19, 2005. The Examiner subsequently followed up the Interview with a telephone call on October 20, 2005 to report that the Examiner agreed to WITHDRAW finality of the Office Action. The Response herein reiterates argument made during the telephone Interview.

Claims 1, 2 and 5-7 over Ho in view of Nikolich

In the Office Action, claims 1, 2 and 5-7 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by UK Patent Application No. GB 2,319,747 A to Ho ("Ho") in view of U.S. Patent No. 5,986,562 to Nikolich ("Nikolich"). The Applicants respectfully traverse the rejection.

Claims 1, 2 and 5-7 recite an electronic wireless badge device and method to electronically display a photograph upon the electronic wireless badge.

The Examiner acknowledged that Ho does "not explicitly state where the electronic display is adapted to electronically display a photograph." (See Office Action, page 2). However, the Examiner alleges Ho discloses a electronic display that is an LCD type display at page 6, line 3. The Examiner alleges that it is well known in the art where LCD type displays are able to display images such as photographs, thus, Ho is shown to display photographs on the electronic display (See Office Action, page 2).

The Examiner is correct that Ho appears to disclose a card holder that also has a display 20, e.g., an LCD display, as shown in Fig. 1 (See page 6, lines 2-4). However, a review of Fig. 1 shows the display 20 is in fact **BELOW**

the card 14 that contains a photograph 16 of the individual whom it identifies (See Ho, page 5, lines 27-30 and page 6, lines 30-32). Ho discloses the display 20 is used to display information validating the presence of the individual and/or show that the individual has performed certain requirements (See page 7, lines 9-13).

The Examiner alleged that Ho is shown to display photographs on the electronic display because an electronic display are able to display images such as photographs. As discussed above, Ho discloses that the electronic display is used to display information validating the presence of the individual and/or show that the individual has performed certain requirements. Thus, **AT BEST** Ho discloses an electronic display to display alpha/numeric information upon a security badge **NOT** to electronically display a photograph upon the electronic wireless badge, as recited by claims 1, 2 and 5-7.

Moreover, the Examiner allegation that LCD type displays are able to display images such as photographs and Ho is therefore shown to display photographs on the electronic display is **incorrect**. **NOT ALL** LCD displays are able to display images such as photographs. Many LCD displays are designed to simply display black and white alpha/numeric information, such as displays used on calculators, watches, simple personal data assistants, microwaves, etc.. Thus, simply disclosing use of an LCD display does **NOT** automatically follow that such an LCD display is **capable** of electronically displaying a photograph upon an electronic wireless badge, much less that it **does** electronically display a photograph upon an electronic wireless badge, as recited by claims 1, 2 and 5-7.

Moreover, the Examiner allegation that Ho's electronic display displays photographs is **illogical**. Display of a photograph on Ho's electronic display would amount to **TWO** images being displayed on a security badge, i.e., one photograph and one electronic image. Display of **TWO** images on a security badge is **unsupported by Ho** and **illogical**.

The Examiner acknowledges that Ho fails to disclose a wireless badge device that has a wireless front end (See Office Action, page 2). The Examiner relies on Nikolich to allegedly make up for the deficiencies in Ho to arrive at the claimed features. The Applicants respectfully disagree.

Nikolich discloses a tag holder that has RFID circuitry embedded in a housing (See Abstract). A conventional tag is slid into the housing containing the RFID circuitry (See Nikolich, Fig. 4). Thus, Nikolich discloses a conventional tag that is placed within a housing of a security tag. Nikolich, like Ho, fails to disclose or suggest an electronic wireless badge and method to electronically display a photograph, as recited by claims 1, 2 and 5-7.

Thus, Ho modified by the disclosure of Nikolich **STILL** fails to disclose or suggest an electronic wireless badge and method to electronically display a photograph, as recited by claims 1, 2 and 5-7.

An advantage of an electronic wireless badge and method to electronically display a photograph is, e.g., a badge device that can be electronically altered for various users. The cited prior relies on a conventionally printed photograph for a badge, limiting the badge to a single person that matches the photograph information and requiring taking a picture for each and every person using such a badge. The Applicants' badge device electronically displaying a photograph allows a single badge device to be used with a plurality of persons, with simple programming of the badge required to change the photograph to a wearer. The cited prior art **FAILS** to disclose or suggest the claimed features having such benefits.

For at least the foregoing reasons, claims 1, 2 and 5-7 are patentable over the prior art of record. Accordingly, the Applicants respectfully request that the foregoing rejection be withdrawn.

Claims 3, 8, 9, 11-27 over Ho in view of Nikolich and Tuttle

Claims 3, 8, 9 and 11-27 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Ho in view of Nikolich, and further in view of U.S. Patent No. 6,127,917 to Tuttle ("Tuttle"). The Applicants respectfully traverse the rejection.

Claims 3, 9, 11-27 are dependent on claims 1, 8, 12 and 20 and are patentable over Ho in view of Tuttle for the same reasons as claims 1, 8, 12 and 20.

Claims 3, 8, 9 and 11-27 respectively recite an electronic wireless

badge and method to electronically display a photograph.

As discussed above, Ho in view of Nikolich fails to disclose or suggest an electronic wireless badge and method to electronically display a photograph, as claimed by claims 3, 8, 9 and 11-27.

The Office Action relies on Tuttle to allegedly make up for the deficiencies in Ho to arrive at the claimed invention. The Applicants respectfully disagree.

Tuttle is relied on to disclose a network security station comprising a database (See Office Action, page 4). Tuttle discloses a portable wireless transponder device borne by an individual for locating the individual in a facility (See Tuttle, Abstract). The portable wireless transponder device can be embedded in a badge that includes a photograph 38 of the bearer (See Tuttle, col. 4, lines 12-14).

Thus, although Tuttle discloses a badge that has a wireless front end, Tuttle's badge relies on a conventional photograph to identify the wearer of the badge. Tuttle fails to disclose or suggest an electronic wireless badge and method to electronically display a photograph, as recited by claims 3, 8, 9 and 11-27.

Thus, Ho in view of Nikolich, and further in view of Tuttle fails to disclose or suggest an electronic wireless badge and method to electronically display a photograph, as recited by claims 3, 8, 9 and 11-27.

For at least the foregoing reasons, claims 3, 8, 9 and 11-27 are patentable over the prior art of record. Accordingly, the Applicants respectfully request that the foregoing rejection be withdrawn.

Claims 4 and 10 over Ho in view of Nikolich, Tuttle and Bork

In the Office Action, claim 4 was rejected under 35 U.S.C. §103(a) as allegedly being obvious over Ho in view of Nikolich, and further in view of U.S. Patent No. 6,246,376 to Bork et al. ("Bork"), with claim 10 rejected under 35 U.S.C. §103(a) as allegedly being obvious over Ho in view of Nikolich and Tuttle, and further in view of Bork. The Applicants respectfully traverse the rejection.

Claims 4 and 10 are dependent on claims 1 and 8 respectively, and

are patentable for the same reasons as claims 1 and 8.

Claims 4 and 10 recite an electronic wireless badge to electronically display a photograph.

As discussed above, Ho in view of Nikolich and Tuttle fails to disclose or suggest an electronic wireless badge and method to electronically display a photograph, as recited by claims 4 and 10.

The Office Action relies on Bork to allegedly make up for the deficiencies in Ho in view of Nikolich and Tuttle to arrive at the features claimed. The Applicants respectfully disagree.

Bork is relied on by the Examiner to disclose a wireless piconet front end is a BLUETOOTH device (See Office Action, page 7). However, Bork's invention is directed toward determining the transfer of location information between two BLUETOOTH devices, e.g., cell phones (See Abstract; col. 2, lines 19-25). Thus, Bork's invention transfers location information to like BLUETOOTH devices, failing to even mention an electronic wireless badge, much less disclose or suggest an electronic wireless badge to electronically display a photograph, as recited by claims 4 and 10.

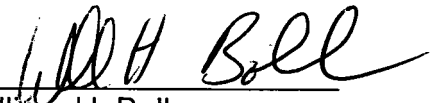
Thus, Ho modified by Nikolich and Tuttle, and further in view of Bork still fails to disclose or suggest an electronic wireless badge to electronically display a photograph, as recited by claims 4 and 10.

For at least the foregoing reasons, claims 4 and 10 are patentable over the prior art of record. Accordingly, the Applicants respectfully request that the foregoing rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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